

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Gennady MERKULOV et al. Art Unit: TBA

Serial No.: TBA

Examiner: TBA

Filed: November 3, 2003

Atty. Docket: CL001103CON

For: ISOLATED HUMAN TRANSPORTER PROTEINS,  
NUCLEIC ACID MOLECULES ENCODING HUMAN  
TRANSPORTER PROTEINS, AND USES THEREOF

**Statement Regarding Duty to Disclose Information Material To Patentability Under  
37 CFR 1.56 (a) and (b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:


Applicants hereby notify the US Patent and Trademark Office of the documents listed on the attached PTO Form SB/08A, which may be deemed relevant to the patentability of the claims of the above application. One copy of each of the listed documents is submitted herewith. The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application.

No fee is due for this submission. However, the Patent and Trademark Office is authorized to charge any necessary fees related to the processing of this application to Deposit Account No. 50-0970.

Respectfully submitted,

CELERA GENOMICS

Date: November 3, 2003

By:   
Lin Sun-Hoffman, Ph.D., Reg No. 47,983

Celera Genomics  
45 West Gude Drive, C2-4#21  
Rockville, MD 20850  
Tel: 240-453-3628  
Fax: 240-453-3084

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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |                        | Application Number       | TBA                     |
|   |                        | Filing Date              | November 3, 2003        |
|   |                        | First Named Inventor     | Gennady MERKULOV et al. |
|   |                        | Art Unit                 | TBA                     |
|   |                        | Examiner Name            | TBA                     |
| Sheet 1 of 2  | Attorney Docket Number | CL001103CON              |                         |

| U.S. PATENT DOCUMENTS |                       |  |                                |  |   |
|-----------------------|-----------------------|--|--------------------------------|--|---|
| Examiner Initials     | Cite No. <sup>1</sup> | Document Number                            | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                       | Number - Kind Code <sup>2</sup> (if known) |                                |  |   |
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| FOREIGN PATENT DOCUMENTS |                       |   |                                |  |   |                |
|--------------------------|-----------------------|---|--------------------------------|--|---|----------------|
| Examiner Initials        | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|                          |                       | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) |                                |  |   |                |
|                          |                       | WO 99 63088 A   | 12-9-1999                      | Baker et al.                                       |   |                |
|                          |                       | WO 01 57190 A   | 8-9-2001                       | Yicheng CAO et al.                                 |   |                |
|                          |                       | WO 02 02635 A   | 1-10-2002                      | Applera Corp.                                      |   |                |
|                          |                       | WO 01 74854 A   | 10-11-2001                     | Maria Glucksmann...                                |   |                |
|                          |                       |   |                                |  |   |                |
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Sheet 2 of 2

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|------------------------|-------------------------|
| Application Number     | TBA                     |
| Filing Date            | November 3, 2003        |
| First Named Inventor   | Gennady MERKULOV et al. |
| Group Art Unit         | TBA                     |
| Examiner Name          | TBA                     |
| Attorney Docket Number | CL001103CON             |

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published          | T <sup>2</sup> |
|-------------------|----------|---|----------------|
|                   |          | Results of BLAST search of SEQ ID NO:2 against Derwent (FastAlert and GeneSeqP) and NCBI (pataa) protein patent databases on July 16, 2003  |                |
|                   |          | Weber et al. "Molecular Cloning of a Peroxisomal Ca <sup>2+</sup> -Dependent Member of the Mitochondrial Carrier Superfamily." Proceedings of the National Academy of Sciences. Vol. 94, August 1997. Pages 8509-8514. XP002188067.                                     |                |
|                   |          | Database SWALL 'Online! January 1, 1998. Database accession No. 018757. XP002235953.  |                |
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|                   |          | Milton Saier. "A Functional-Phylogenetic Classification System for Transmembrane Solute Transporters." Microbiology and Molecular Biology Reviews. Vol. 64, No. 2, June 2000. Page 354-411. XP002221952.  |                |
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|                   |          | International Search report dated April 11, 2003.   |                |

Examiner  
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